IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 118 of 1991

Abu Asad Farid Ahmed .. Appellant

V/s

Percy Rustomji Basta and Ors..Respondents

Mr. G.C.Singh for Appellant

Mr.K.P.Sreejith i/b M/s Sreeji and Lal for Respondent No.1.

CORAM:S.R.SATHE,J.

DATED:10th April 2006

P.C.:-

. Heard both the learned Advocates.

. Both of them fairly submitted that in view of the decision in First Appeal No.831 of 1989 and 970 of 1989 and the fact that the order passed by the City Court Bombay in BCC Suit No.4411 of 1964 is confirmed by this Court, the present Appeal from Order has in fact become infractuous, Hence the same is dismissed.

. However, as in the above mentioned two first appeals viz. First Appeal No.831 of 1989 and 970 of 1989 time

is granted till 30-6-2006 to hand over possession of the suit property to the plaintiff in BCC Suit No.4411 of 1964, the plaintiff, not to take steps for possession till 30-6-2006.

(S.R.SATHE,J.)